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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/845,785

04/30/2001

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OIC0044US

4346

60975 7590 09/21/2009  
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EXAMINER

SPOONER, LAMONT M

ART UNIT

PAPER NUMBER

2626

MAIL DATE

DELIVERY MODE

09/21/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## **DETAILED ACTION**

### ***Introduction***

1. This office action is in response to applicant's arguments/remarks filed 9/08/09. Claims 1, 2, 5, 9, 16-19, 22, 26, 33, 34, 38-43, and 45-62 are currently pending and have been examined.

### ***Response to Arguments***

2. The Examiner notes applicant's arguments were discussed in an Interview dated, 9/09/09, wherein the applicant proposed possible claim amendments to overcome the currently cited prior art. Applicant's arguments filed 9/809 have been fully considered but they are not persuasive, as discussed below. More specifically, applicant argues, page 14, "A. The Final Office Action's assessment of Malcolm's "stages" cannot be equated with the sets of code in Applicant's claim 61."

However, the Examiner cannot concur with these arguments, wherein Malcolm explicitly teaches language dependent code and language independent code, in C.4.lines 8-17-language dependent code tracked from language independent code not requiring translation in a base language, having a library control feature translatable components only in these fields, i.e. his available field of database... translation, and library

control database that tracks all changes to the language source file that would require a translation. Malcolm then explicitly describes stages of development, C.10 lines 16-35-his various stages interpreted as the first, second and third stage, and his stages/activities done in parallel. The Examiner notes Malcolm explicitly refers in this section to the translation process, and development cycle, as part of the stages. The Examiner is unable to locate anywhere within Malcolm, teaching that the development cycle of a product does not include developing language dependent information, and that this language dependent information "code" is precluded from being part of a stage development, it is exactly the contrary found in Malcolm. Malcolm, as state above, explicitly discusses developing a product, and that the product has a language dependent portion, and that the developing of the product may be done in stages. Thus, with obviousness, and definitive motivation based at least upon communication between stages, as provided by Malcolm, the Examiner has provided the rejection below, and further deemed that applicant's arguments are not persuasive, as Malcolm provides the language dependent codes, and explicitly divides the development cycle into stages, wherein developing the

code is an explicit part of the development cycle for an internationalized, and localized product.

Applicant subsequently argues, p.16, "B. The Final Office Action's assessment of interchangeable stages is contrary to the limitations in claim 61 regarding temporal relationships between distinct operations on different sets of code." However, the Examiner notes, the arguments as addressed above, that Malcolm explicitly discusses stages of development for the product, thus applied to his code, the stages may be divided in any manner as wherein developing the code is an explicit part of the development cycle. Applicant continues to argue, "At best, these characterizations of Malcolm would make clear that Malcolm fails to distinguish between an operation on one set of code and a corresponding operation on another set of code." However, the Examiner cannot concur with these arguments, as it has been made clear in the discussion above, Malcolm includes code in his development cycle, and also explicitly teaches having the development cycle divided into stages (see C.10 lines 16-33). Therefore, it is the Examiner's position, that one ordinarily skilled in the art at the time of the invention, it would have been obvious to them to divide any process of the development cycle into stages (including code development), run in

parallel, for efficient, cost effective, end product release. Therefore, the applicant's arguments remain unpersuasive.

Applicant further argues, "C. Malcolm's mention of a general engineering principle does not render obvious all users of that principle." The Examiner agrees, and does not cite Malcolm for rendering obvious all uses of any principle. The Examiner notes, the Applicant goes on to discuss, "However, different development environments need to carefully and judiciously select which activities need to be done in parallel with which other activities, if the result is to be an effective reduction in the total development time. In the particular case of Malcolm, the reference goes on to describe one particular selection that is helpful in that environment: the translation of screen panels can begin before the final code is completed. See Malcolm, 10:27- 29." The Examiner notes the example that Malcolm discusses in C.10 lines 27-29, and further notes the code development portion of C.10 lines 20-30, that the code development is part of the development cycle, and that numerous activities must be done in parallel in order to reduce the overall time requirements. Thus, it is evident, in the field of National Language Support, Internationalization and Localization, there are particular activities that are necessary for a final product, the Examiner

has noted these in the rejection (i.e. code development, and internationalization, and localization), and furthermore, the Examiner has explicitly cited the element of "stages" in the development cycle of a product. As all of the elements are present, and motivation is discussed, (C.10 lines 25-27, his "in order to reduce the overall time requirements"). The Examiner notes applicant's arguments, "In particular, this general observation from Malcolm fails to render obvious the particular requirements of "storing a second set of language dependent code in the memory..., only after commencement of the modifying the first set of language dependent code," or "storing a third set of language dependent code in the memory,..., only after commencement of the modifying the internationalized version of the first set of language dependent code," as recited in claim 61." However, the Examiner has cited in the previous rejection, as Malcolm teaches his various stages (C.10 lines 18-28-see stage discussion). The Examiner has further discussed, Malcolm's storing of the code in memory, (C.6 lines 5-15-his language dependent text in a file, C.10 lines 16-28-his stages as his first set of language dependent code), and further combined with KSR to note that all the elements for the first stage as indicated above, may be applied to each stage of the

development. Furthermore, by definition of a first stage to second stage, it is obvious, that in subsequent processing, a first stage would commence before action on a subsequent stage (such as storing a second or third set of language dependent code only after the commencement of a previous development stage's internationalization). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Malcolm's entire first stage of development including "modifying the first set of language dependent code (C.6 lines 25-40-his translation of the language dependent code). Therefore, the Examiner does not find a generalization of all possible evaluations, the Examiner has specifically addressed the elements as discussed by Malcolm, as pertaining to his development cycle and stages of a product with respect to his code and storing of this code, as it pertains the stages. Thus the applicant's arguments remain unpersuasive.

Applicant's arguments regarding claim 62 are based on the above arguments, and thus are also deemed unpersuasive.

Applicant further argues, claims 1, 2, 5, 9, 16-19, 22, 26, 33-34, 38-43, 45-54, 56, 58 and 60 rejected under 35 USC paragraph 103 (a), "temporal relationships" based on second stage, and first stage, "Applicant

respectfully submits that, among others, these limitations regarding the concurrent timing of particular activities are not disclosed or fairly suggested in the cited passages of the references. With regard to these limitations, the Office Action hypothesizes that:

The development of [Malcolm's] product could be done simultaneous, concurrently, and in parallel... This argument thus ultimately rests on the same single passage from Malcolm that was discussed above with regard to applicant's independent claim 1. In particular, Malcolm's recognition that certain processes can be performed in parallel in Malcolm's example does not render obvious the particular solutions that would be relevant in other situations." The Examiner notes these arguments are fully unpersuasive, as discussed above. Each and every element of the process for the development cycle has been provided by Malcolm, and Malcolm further discusses parallel operation, and stage development of his product. It appears that the Applicant deems, "the Internationalization of the second stage is performed concurrently with the developing of the third stage," as patentable subject matter. Despite, Malcolm not explicitly stating the exact words verbatim, it is clear be each and every element, and in combination of with the other prior art elements that the above limitation is taught. It is



the Examiner's position, that the internationalization of a second or third or fourth or fifth, etc. stage, concurrently with the developing of another stage, does not make this or any other subsequently filed application patentable over the above combination, wherein, if one ordinarily skilled in the art, has the knowledge to divide the product into stages, and also perform parallel processes, and concurrent development between stages, in order to reduce cost. Thus all current and subsequent arguments regarding Malcolm's stages (as discussed in C.10 see above) are unpersuasive. The Examiner notes that the limitations are completely addressed in specificity and scope by the rejections of Lee et al. (hereinafter referred to as Lee, US 6,442,516) in view of Rojas et al. (hereinafter referred to as Rojas, US 6,425,123), and further in view Malcolm et al. (US 5,416,903) are found in the rejection of claim 1, " However, Malcolm teaches developing the base version of the application comprises developing a plurality of stages of the base version of the application, and the plurality of stages of the base version of the application comprises a first stage, a second stage, and a third stage (C.10 lines 16-35-his various stages interpreted as the first, second and third stage, and his stages/activities done in parallel).

Therefore it would have been obvious at the time of the invention to modify Lee's localization, storing of the localized version, and internationalization and Rojas' pseudo-localization with the concurrent (parallel) localization and internationalization in stages of Malcolm (wherein the Examiner notes, that all of the necessary components, stages, and concurrent/parallel base version development, and internationalization and localization are present, thus as these stages may be done in parallel, the known components allow one ordinarily skilled in the art to internationalize a first stage, or second stage, concurrently with the developing of another stage) for the benefit of reducing overall time requirements for development of a final product (Malcolm, C.10 lines 25-27)" and thus applicant's arguments against, "the internationalization of the second stage... the localization of the first stage", are also deemed unpersuasive, as explained previous, wherein the Examiner previously explained, "As Lee teaches internationalization and localization (C.3 lines 56-64-his National Language Support, NLS, and localized files, C.3.lines 56-57-his particular translation build, C.10.lines 10-16, the L10N process for French version, C.10.line 58-C.11.line 39-his English to Japanese), and Malcolm teaches various stages of development of an application (C.10 lines 16-35-his various stages

interpreted as the first, second and third stage, and his stages/activities done in parallel). It is the combination of these elements that would allow one ordinarily skilled in the art, to have various stages in the development cycle, wherein as applied to Lee, the development, for NLS would comprise internationalization and localization, thus, these being broken into stages of development, and then at any point, the development of this product, could be done simultaneously, concurrently, and in parallel. Thus applicant's arguments regarding claim 1, and similar claims 18 and 34, and dependent claims 54-60 remain unpersuasive.”

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAMONT M. SPOONER whose telephone number is (571)272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571/272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/David R Hudspeth/  
Supervisory Patent Examiner, Art Unit 2626

lms  
9/17/09